

HOUSE BILL No. 1703

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-35; IC 33-36.

Synopsis: Interlocal agreements concerning courts. Allows a city or town that has not established a city or town court or an ordinance violations bureau to enter into an interlocal agreement with a city, town, or other municipal corporation that has established: (1) a city or town court; or (2) an ordinance violations bureau; to hear and dispose of cases that would otherwise come under the jurisdiction of a city or town court or an ordinance violations bureau established by the city or town.

Effective: July 1, 2009.

Saunders, Pflum

January 22, 2009, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1703

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-35-1-6 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 6. A city or town that has not established a court**
4 **under this chapter may enter into an interlocal agreement under**
5 **IC 36-1-7 with a city or town that:**

6 **(1) has established a court under this chapter; and**

7 **(2) is located in the same judicial circuit as the city or town**
8 **that has not established a court;**

9 **to hear and dispose of cases that would otherwise come under the**
10 **jurisdiction of a court established by the city or town under this**
11 **chapter.**

12 SECTION 2. IC 33-35-2-3 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 3. A city court has the**
14 **following jurisdiction over crimes, infractions, and ordinance**
15 **violations:**

16 **(1) Jurisdiction of all violations of the ordinances of the city.**

17 **(2) Jurisdiction of all misdemeanors and all infractions.**



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(3) If the city that established the city court has entered into an interlocal agreement described in IC 33-35-1-6 with another city or a town, jurisdiction of all other cases described in the interlocal agreement.

SECTION 3. IC 33-35-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) A town court has exclusive jurisdiction of all violations of the ordinances of the town.

(b) A town court also has jurisdiction of all misdemeanors and all infractions.

(c) If the town that established the town court has entered into an interlocal agreement described in IC 33-35-1-6 with a city or another town, the town court has jurisdiction of all other cases described in the interlocal agreement.

SECTION 4. IC 33-36-2-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. A city or town that has not established a court under IC 33-35-1 or an ordinance violations bureau under this chapter may enter into an interlocal agreement under IC 36-1-7 with a municipal corporation that:

(1) has established an ordinance violations bureau under this chapter; and

(2) is located in the same judicial circuit as the city or town that has not established a court or an ordinance violations bureau;

to hear and dispose of ordinance violations that would otherwise come under the jurisdiction of an ordinance violations bureau established by the city or town under this chapter.

SECTION 5. IC 33-36-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. **(a) Subject to subsection (b),** all sums collected by the violations clerk as civil penalties for ordinance violations shall be accounted for and paid to the municipal corporation as provided by law.

(b) If a city or town that has not established a court under IC 33-35-1 or an ordinance violations bureau under IC 33-36-2 has entered into an interlocal agreement described in IC 33-36-2-4 with a municipal corporation, the sums collected by the violations clerk that involve the city or town that has not established a court or an ordinance violations bureau shall be accounted for and paid as provided in the interlocal agreement.

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